

## **Chapter 14.36**

### **HOUSEMOVING**

#### **Sections:**

- 14.36.010 Housemoving Defined; Registration Required.**
- 14.36.020 Application for Registration; Fee; Bond.**
- 14.36.030 Issuance of Permit.**
- 14.36.040 Protecting Wires in Streets; Payment of Damages.**
- 14.36.050 Notice to Public Service Companies and City of Lincoln by Housemover.**
- 14.36.070 Excavation; Injury to Pavement; Private Property.**
- 14.36.080 Revocation of Registration.**
- 14.36.090 Compliance with Building Code.**
- 14.36.100 Demolition and Removal of Debris.**

#### **14.36.010 Housemoving Defined; Registration Required.**

Housemoving as used in this chapter is hereby defined to mean and include the moving of any house, building, or structure. It shall be unlawful for any person to carry on or engage in the occupation of housemoving in the city without first being registered therefor and having complied with all the provisions of this chapter. (Ord. 11160 §1; July 29, 1974; prior Ord. 3489 §13-101, as amended by Ord. 3818; June 23, 1941).

#### **14.36.020 Application for Registration; Fee; Bond.**

Any person desiring to engage in the business of housemoving in the City of Lincoln shall file with the Building Official an application for a registration therefor in writing on a form furnished for that purpose. Said application shall be accompanied by a bond in the sum of \$25,000.00 duly executed by both said applicant and a corporate surety company authorized by the state to do business in Nebraska, which bond shall be subject to the approval of the City Attorney.

The bond shall be conditioned, among other things, that the applicant:

- (a) Will in all things strictly comply with all the provisions of the ordinances of the city relating to housemoving and any and all conditions of the permit;
- (b) Will save, indemnify, and keep harmless the city from all liabilities, judgments, costs, and expenses which may in anywise accrue against the city in consequence of the granting of such registration, or in consequence of any injury to persons or property resulting directly, or indirectly, from the exercise of the privileges in such registration granted;
- (c) Will pay to the city any and all damages which may be sustained to any pavement, road surface, curb, gutter, sidewalk, street crosswalk, traffic signal installation, traffic signals, power poles, power or utility lines, bridges, culverts, sewers, or other city property through the conduct of said applicant's housemoving activities; and

(d) Will also pay to the owner any and all damages cause in a like manner to any private property.

A fee shall be paid to the Building Official by said applicant for registration as follows:

\$100.00 for a period of one year.

In addition to the bond, the applicant for registration shall also be required to:

(1) At all times maintain public liability insurance in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the City Attorney, with a minimum combined single limit of \$1,000,000.00 aggregate for any one occurrence. The coverages required herein shall be subject to review and approval by the City Attorney for conformance with the provisions of this section;

(2) At all times keep on file with the Building Official a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska and approved by the City Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the city as an additional insured for the coverage required by subsection (1) of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring thirty day's notice by mail to the Building Official before the insurer may cancel the policy for any reason, and upon request of the Building Official or the City Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies. Any termination or lapse of such insurance shall automatically revoke any permit issued pursuant to this chapter. (Ord. 18206 §1; July 21, 2003: prior Ord. 15654 § 7; July 9, 1990: Ord. 13146 § 2; June 1, 1981: Ord. 12139 § 2; November 7, 1977: Ord. 11390 § 1; June 23, 1975: Ord. 11160 § 2; July 29, 1974: Ord. 9701 § 1; February 17, 1969: Ord. 8203 § 1; September 30, 1963: Ord. 3489 § 13-102, as amended by Ord. 6194; October 17, 1955).

#### **14.36.030 Issuance of Permit.**

The Building Official is hereby authorized to issue housemoving permits upon written application by duly registered housemovers when the building to be moved is consistent with the provisions of this chapter. House sewers must disconnected and sealed in accordance with Lincoln Wastewater System regulations. Prior to the issuance of such permit, all utilities shall be properly abandoned. Water supply pipes and building sewers must be disconnected and sealed in accordance with Title 17 of the Lincoln Municipal Code. The permittee shall obtain written notification from the Lincoln Water System and the Lincoln Wastewater System that proper abandonment has been accomplished, and deliver a copy of this notification to the Building Official, along with the permit application. The application shall contain a description of the building proposed to be moved, its dimensions and construction, its weight when loaded, the number of axles, its present location, and the location of the property where the same is to be moved.

When moving over or across pavements, the per-axle load shall not exceed the maximum permitted by the ordinances of the City of Lincoln and the laws of the State of Nebraska governing the use of public roads.

A fee for each housemoving permit shall be paid to the Building Official, as follows:

\$200.00 for buildings more than fourteen feet in width.

Each permit shall specify the time of day and primary move date for removal of the building and the time any public thoroughfare or public right-of-way is to be occupied in moving same, as determined

by the Director of Public Works and Utilities. Each permit shall specify the route to be followed in moving said building, and it shall be unlawful for any person to digress therefrom without the written approval of the Director of Public Works and Utilities. Each permit shall terminate and expire on the thirty-first day following the primary move date specified in the permit.

No housemoving permit shall be issued until countersigned and approved by the Lincoln Electric System Manager, the Director of Parks and Recreation, the City Traffic Engineer, and the Director of Public Works and Utilities. There shall also be approval by the local telephone provider, the local cable television provider, and the local natural gas provider. If the right-of-way of any railroad company is to be crossed, such company must also approve said permit. The registered housemover shall notify the Director of Public Works and Utilities of the hour when moving will actually begin.

When, in the opinion of the Director of Public Works and Utilities, inspections should be maintained during the moving of any building for the purpose of protecting paving, trees, wires, or other property of the public, the Director of Public Works and Utilities shall appoint some competent person for such duties and the compensation for such services shall be paid by the housemover to whom the housemoving permit is issued. The Director of Public Works and Utilities shall estimate the probable cost of such inspection, and the housemover shall deposit such sum with the Director before the issuance of the housemoving permit. (Ord. 18206 §2; July 21, 2003: prior Ord. 16951 §99; March 11, 1996: Ord. 14540 § 1; October 27, 1986: Ord. 13146 § 3; June 1, 1981: Ord. 11160 § 3; July 29, 1974: Ord. 9701 § 3; February 17, 1969: Ord. 8203 § 2; September 30, 1963: Ord. 7794 § 18; July 16, 1962: Ord. 3489 § 13-103, as amended by Ord. 6194; October 17, 1955).

#### **14.36.040      Protecting Wires in Streets; Payment of Damages.**

The City of Lincoln Electric System, upon request of a registered housemover, shall arrange the electric system wires to permit the passage of any building being lawfully moved over and across the streets and ways of the city and to replace, repair, and restore any which may have been removed or damaged. The Lincoln Electric System shall at the time when such work is completed make out a statement of account in triplicate against said housemover of the amount of the actual cost and expense or damage incurred or suffered by the city by reason of the removal, repairing, or replacing of its wires to permit said removal. One copy of said statement of account shall be given to the housemover, one copy given to the Building Official and one copy retained by the Lincoln Electric System. In case of injury or damage to any city property, other than electric light or other wires, the Director of Public Works and Utilities shall make an estimate in triplicate of the amount of such injury or damage, one copy of which estimate he shall deliver to the housemover causing such damage, one copy to the Building Official, and one copy he shall retain. It is hereby made the duty of the housemover to pay the amount of said accounts to the Lincoln Electric System or the Director of Public Works and Utilities within five days after the date of billing and in case of his failure so to do, the Lincoln Electric System or the Director of Public Works and Utilities shall refer same to the City Attorney for collection. The Building Official shall not issue any further permits to said housemover so long as such account remains unpaid. (Ord. 16951 §100; March 11, 1996: prior Ord. 14540 § 2; October 27, 1986: Ord. 11160 § 4; July 29, 1974: Ord. 9701 § 3; February 17, 1969: Ord. 3489 § 13-104; July 6, 1936).

**14.36.050 Notice to Public Service Companies and City of Lincoln by Housemover.**

Before moving any building, the housemover shall notify the City of Lincoln and all public service corporations whose wires or other appliances may obstruct the moving of such building of the time when such building will be moved and request such corporation arrange for the passage of such building. Such housemover shall pay to the city and said corporation the reasonable cost and expense of the work required to be done. (Ord. 13146 § 4; June 1, 1981: prior Ord. 11160 § 5; July 29, 1974: Ord. 9701 § 4; February 7, 1969: Ord. 3489 § 13-105; July 6, 1936).

**14.36.070 Excavation; Injury to Pavement; Private Property.**

It shall be unlawful for any housemover to make any opening or excavations in any street pavement or to set any stakes therein, and it is hereby made the duty of every such housemover to carry on his said business in a careful and safe manner and with the least possible injury to public private property, and for every such injury or damage, he shall be liable on his bond. The Director of Public Work and Utilities' estimate of any such damage done to city property, except to electric light or other wires, by any housemover shall be final and conclusive upon such housemover. (Ord. 16951 §101; March 11, 1996: prior Ord. 11160 § 6; July 29, 1974: Ord. 9701 § 5; February 17, 1969: Ord. 3489 § 13-107; July 6, 1936).

**14.36.080 Revocation of Registration.**

The housemover's registration herein provided for may be revoked at any time by the Building Official if the registered housemover shall conduct his business in a reckless or careless manner, or shall fail or refuse to make prompt payment of any sums due the city from him under any of the provisions of this chapter. (Ord. 11160 § 7; July 29, 1974: prior Ord. 9701 § 6; February 17, 1969: Ord. 8203 § 4; September 30, 1963: Ord. 3489 § 13-108; July 6, 1936).

**14.36.090 Compliance with Building Code.**

No building or structure intended to be used for dwelling purposes shall be moved within the corporate limits of the city or within three miles thereof unless such building or structure is structurally sound and complies with the minimum light, ventilation, sanitation, and room dimension requirements of the City of Lincoln Building Code.

Before a housemoving permit may be issued, a building permit application and building plans must be submitted for review outlining all work necessary to bring the structure into compliance with the City of Lincoln Building Code after it is relocated. Following receipt of the application and building plans, the Building Official shall make an inspection of such structure to determine whether there are any other code deficiencies which need to be addressed. After the review for building and zoning compliance is complete and any required corrections to the building plans have been made, the housemoving permit can be issued. (Ord. 18206 §3; July 21, 2003: prior Ord. 9701 § 7; February 17, 1969: Ord. 3489 § 13-109, amended by Ord. 6543; February 4, 1957).

**14.36.100      Demolition and Removal of Debris.**

Before a housemoving permit may be issued, the owner of the premises upon which the building or structure is to be moved from shall make application for a demolition permit and shall comply with the requirements of the Lincoln Municipal Code regarding demolition of buildings and removal of all debris from the site. (Ord. 18206 §4; July 21, 2003; prior Ord. 13146 § 5; June 1, 1981: Ord. 10452 § 1; May 22, 1972).